

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE

William Alexander Parks

v.

Civil No. 07-cv-00173-JL

Town of Hampton Falls, et al.

**O R D E R**

The defendant's motion for summary judgment (document no. 18) is GRANTED. The plaintiff has not filed an objection to the motion for summary judgment, and thus has waived his objection. Local Rule 7.1(b).

Turning to the merits, it is beyond question that, having been provided with appropriate documentary process to take custody of the plaintiff, neither the Department of Corrections nor the Superintendent may be liable for a false imprisonment-oriented civil rights violation under Section 1983. Both enjoy qualified immunity from the plaintiff's claims. See Cleavinger v. Saxner, 474 U.S. 193, 206-07 (1985); Cookish v. Powell, 945 F. 2d 441,449 (1st. Cir. 1991); see also Defendant Wright's Summary Judgment Memorandum of Law, pp 5-6. There being no genuine issue of material fact, the defendants are entitled to judgment as a matter of law, and summary judgment shall be entered in favor of the defendants. See Fed. R. Civ. P. 56(c). All other pending motions are DENIED AS MOOT. The Clerk shall close the case.

SO ORDERED.



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Joseph N. Laplante  
United States District Judge

Dated: October 8, 2008

cc: William Alexander Parks, pro se  
Michael A. Ricker, Esq.